

Plaintiff,

-against-

ABEC INDUSTRIES, INC., 189 PASSAIC REALTY
CORP., AND JOSEPH REUBEN UNGAR,

STIPULATION OF
DISMISSAL AND
VACATUR OF
JUDGMENT

Defendants.

IT IS HEREBY STIPULATED AND AGREED that Plaintiff's motion for summary judgment against Defendants Joseph Reuben Ungar and 189 Passaic Realty Corp. is hereby withdrawn; and it is further

STIPULATED AND AGREED that the Judgment entered in favor of Plaintiff and against Defendant Abec Industries, Inc. shall be vacated on consent; and it is further

STIPULATED AND AGREED that this action has been and hereby is dismissed. This Stipulation is without costs or attorneys' fees to any party hereto as against the other.

Dated: New York, New York
November 4, 2005

PITNEY HARDIN LLP
Attorneys for Plaintiff

JOSEPH REUBEN UNGAR
Defendant *pro se*

By: Barry M. Benjamin
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By: Joseph Reuben Ungar
Joseph Reuben Ungar
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S. ordered.

11/8/05, USDS